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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

PATRICIA KENNEDY, an individual,

Plaintiff,

vs.

UNIVERSITY MEDICAL CENTER a.k.a.
UNIVERSITY MEDICAL CENTER OF
SOUTHERN NEVADA a.k.a. UMC, a
political subdivision of Nevada; DOES I-V;
ROES VI-X,

Defendants.

Case No: 2:14-cv-01678-RFB-(PAL)

**STIPULATION AND ORDER
REGARDING FILING
OF
JOINT PRETRIAL ORDER
[Second Request]**

Plaintiff Patricia Kennedy, by and through her attorney, Dan M. Winder, Esq. of the Law Office of Dan M. Winder, P.C., and Defendant University Medical Center, by and through its attorney, Jeffrey I. Pitegoff, Esq., hereby stipulate and agree:

- 1 1. The Joint-Pretrial Order in this matter is to be filed by up to and including Monday,
2 November 7, 2016.

3
4 The reasons for this request are the following:

- 5 1. Between this Honorable Court's October 4, 2016 Order that the Joint Pretrial Order is
6 due October 24, 2016 (Dkt. #73) and the present, Plaintiff's counsel has been
7 diligently working to meet the following inordinate amount of deadlines in about a
8 two week period:

- 9 a. Verified Memorandum of Costs and Disbursements, *Winder v. Lopez*, Eighth
10 Judicial District Court, Case No. A-15-728461-C;
11 b. Plaintiff's Application for Attorney's Fees and Costs, *Winder v. Lopez*, Eighth
12 Judicial District Court, Case No. A-15-728461-C;
13 c. Plaintiff's Responses to Defendant's First Set of Interrogatories, Requests for
14 Production, Requests for Admissions, and Second Set of Requests for
15 Production, *Rice v. Clark County School District*, Federal District Court of
16 Nevada, Case No. 2:16-cv-01709-JCM-(PAL);
17 d. Confidential ENE Brief, *Rice v. Clark County School District*, Federal District
18 Court of Nevada, Case No. 2:16-cv-01709-JCM-(PAL);
19 e. Complaint, *Kennedy v. UMC*, Federal District Court of Nevada, Case No.
20 2:16-cv-02418-APG-(PAL); jurisdictional deadline; Plaintiff filed a second
21 complaint against Defendant UMC on or about October 17, 2016 (Case No.
22 2:16-cv-02418-APG-(PAL)).
23 f. Reply to Defendant UMC's Opposition to Plaintiff's Motion to Alter or
24 Amend, *Kennedy v. UMC*, the instant case; on or about September 22, 2016,
25 Plaintiff filed a Motion to Alter or Amend (Dkt. #71) regarding this
26 Honorable Court's Opinion & Order (Dkt. #69) granting all parts of
27 Defendant UMC's Motion for Summary Judgment (Dkt. #50) except
28

Plaintiff's sexual discrimination claims. Plaintiff solely argued in the extensive Motion that Plaintiff's retaliation claims should not have been summarily adjudicated. Defendant UMC filed its Response to Plaintiff's Motion on or about October 10, 2016 (Dkt. #74). Plaintiff is currently in the process of drafting her Reply, due October 20, 2016.

2. Plaintiff's counsel's only paralegal was not in the office from October 7 – 11, 2016.
3. Defendant's counsel is not available to confer regarding the Joint Pretrial Order on October 21, 2016 or October 24, 2016.
4. With the newly proposed November 7, 2016 Pretrial Order deadline, this Honorable Court would have approximately 340 days in which to set the case for trial within 3 years of the October 13, 2014 date of the filing of the complaint in the instant matter.
5. Due to the complex nature of this case and the time constraints discussed above, the parties seek a two week extension in which to file their Joint Pretrial Order.
6. This stipulation is entered into in good faith and not to cause undue delay.

DATED this 20th day of October, 2016

DATED this 20th day of October, 2016

LAW OFFICE OF DAN M. WINDER, P.C.

MORRIS, SULLIVAN, LEMKUL &
PITEGOFF

By: /s/ Kristina Miletovic for Dan Winder

By: /s/ Jeffrey I. Pitegoff

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Attorneys for Defendant

ORDER

IT IS HEREBY ORDERED the Joint-Pretial Order in this matter is to be filed by up to and including Monday, November 7, 2016.

IT IS SO ORDERED this 24th day of October, 2016.


UNITED STATES MAGISTRATE JUDGE

CERTIFICATE OF SERVICE

Pursuant to LR 5-1, I hereby certify that I am an employee of the LAW OFFICE OF DAN M. WINDER, P.C., and that on the 20th day of October, 2016, I served the foregoing **STIPULATION AND ORDER REGARDING FILING OF JOINT PRETRIAL ORDER**

[Second Request] on counsel as follows:

E-Service pursuant to LR 5-4:

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